



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

February 8, 2022

VIA ECF

Hon. Paul G. Gardephe  
United States District Judge  
United States District Court  
40 Foley Square  
New York, New York 10007

**Re: *The Capital Markets Company v. U.S. Citizenship & Immigration Services, et al.*,  
No. 21 Civ. 7719 (PGG)**

Dear Judge Gardephe:

This Office represents the government in the above-referenced action in which the plaintiff seeks an order directing USCIS to adjudicate an H-1B nonimmigrant visa petition. The parties are currently briefing the government's motion to dismiss, with the government having filed its motion on January 14, 2022, the plaintiff having filed its opposition on February 4, 2022, and the government's reply presently due on February 11, 2022. *See* ECF No. 24. I write on behalf of all parties to request that the due date for the government's reply be extended to March 4, 2022.

The extension is requested to allow the plaintiff to pursue the possibility of obtaining a different type of visa that potentially could lead to a resolution of this case without judicial involvement. All parties join in this request. This is the first request to extend the briefing schedule for the government's motion to dismiss.

We thank the Court for its consideration.

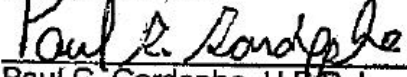
Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney  
Southern District of New York

**MEMO ENDORSED**

**The Application is granted.**

**SO ORDERED:**

  
Paul G. Gardephe, U.S.D.J.

**Dated:** February 9, 2022

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cc: All counsel (via ECF)